

**STATE BOARD OF FUNERAL AND CEMETERY SERVICE BOARD MEETING
THURSDAY AUGUST 6, 2015
INDIANA GOVERNMENT CENTER SOUTH
402 W WASHINGTON STREET, ROOM W064
INDIANAPOLIS, IN 46204**

CALL TO ORDER

The meeting was called to order at 11:00 a.m. by Theodore Mau, pursuant to public notice posted at the principal office of the board at least forty-eight (48) hours before the time of the meeting.

BOARD MEMBERS PRESENT: Theodore Mau, Chairman
Samuel Frain, Vice Chairman
Robert Loose
Thomas Sproles
Christopher Cooke
Roland Cutter
Tasha Smith, State Department of Health

BOARD MEMBER ABSENT: Donald Alford

STATE OFFICIALS PRESENT: Tracy Hicks, Board Director
Jennifer Broadbent, Assistant Board Director
Donald Hannah, Deputy Attorney General

ADOPTION OF THE AGENDA

The agenda was adopted as amended.

Frain/Cooke
7/0/0
Motion carried.

ADOPTION OF THE MINUTES OF THE JUNE 11, 2015, MEETING OF THE BOARD

A motion was made and seconded to approve the minutes of the June 11, 2015 meeting.

Cooke/Frain
7/0/0
Motion carried.

OFFICE OF THE ATTORNEY GENERAL REPORT

Written report was provided.

MOTION FOR VOLUNTARY DISMISSAL

A motion was made and seconded to dismiss the Motion for Summary Suspension in the matter of Benjamin L. Rawls, FD21300082, SBFCS15-07.

Frain/Sproles
5/0/2
Motion carried.

ADMINISTRATIVE HEARING IN THE MATTER OF ADMINISTRATIVE HEARING IN THE MATTER OF CHARLES D. ROX, FD20900039, SBFCS 14-13

A motion was made and seconded to reinstate the license on indefinite probation with no right to petition for reinstatement until completion of the IFDA Crash Course.

Loose/Sproles
5/0/2
Motion carried.

PERSONAL APPEARANCE AND CONSIDERATION OF APPLICATION FOR FUNERAL DIRECTOR INTERN LICENSE IN THE MATTER OF EDWIN M. COOTS, V

A motion was made and seconded to approve the application.

Frain/Cutter
5/0/2
Motion carried.

PERSONAL APPEARANCE AND CONSIDERATION OF APPLICATION FOR FUNERAL HOME LICENSE AND CERTIFICATE OF AUTHORITY RENEWAL IN THE MATTER OF ROOT FUNERAL HOME, FH83004552 AND CA09100368

A motion was made and seconded to table the applications.

Sproles/Loose
7/0/0
Motion carried.

CONSIDERATION OF NOTICES OF PROPOSED DISMISSAL IN THE MATTER OF MICHAEL J. MCKEE, FD01015892, SBFCS 15-06

A motion was made and seconded to dismiss the matter.

Frain/Loose
5/0/2
Motion carried.

REASSIGNMENT OF SUCCESSOR SELLER PURSUANT TO IC 30-2-13-15(E) IN THE MATTER OF CLARK-O'NEAL FUNERAL HOME, INC., FH10400018, CA20600064 (CLOSED 4/8/15)

A motion was made and seconded to table the matter.

Loose/Frain
7/0/0
Motion carried.

REASSIGNMENT OF SUCCESSOR SELLER PURSUANT TO IC 30-2-13-15(E) IN THE MATTER OF KRAFT FUNERAL AND CREMATORY INC., FH10000005, CA20500007 (REVOKED 2/17/15)

A motion was made and seconded to table the matter.

Loose/Frain
7/0/0
Motion carried.

CONTINUING EDUCATION AUDIT REPORT

A motion was made and seconded to issue a notice of non-compliance, impose a civil penalty of \$1000 for those that obtained up to nine hours of approved continuing education, \$5000 for those that did not provide proof of any continuing education, and require continuing education to be made up within six months as indicated below.

Frain/Loose
5/0/2
Motion carried.

SBFCS 15-08, Marria N. Asante-Doyle, FD20700061

- Failed to provide proof of completion of any hours obtained during the reporting period required for the renewal of your license.
- Complete ten (10) hours of continuing education, with no more than five (5) hours in distance learning, and a minimum of four (4) hours in Indiana specific laws as stated in 832 IAC 4-1-1 in order to achieve full compliance within six (6) months from the date of receipt of the Notice and submit proof of compliance to the Board.
- \$5000.00 Civil Penalty

SBFCS 15-09, Megan Ellen Brazzell, FD20100065

- The records indicate a lack two (2) hours in Indiana specific laws obtained during the reporting period required for the renewal of license.
- Complete two (2) live hours of continuing education in Indiana specific laws as stated in 832 IAC 4-1-1 in order to achieve full compliance within six (6) months from the date of receipt of the Notice and submit proof of compliance to the Board.
- \$1000.00 Civil Penalty

SBFCS 15-10, Christine E. Bushby, FD20400084

- The records indicate a lack of four (4) hours in Indiana specific laws obtained during the reporting period required for the renewal of your license.
- Complete four (4) hours, of which at least two (2) must be live hours, of continuing education in Indiana specific laws as stated in 832 IAC 4-1-1 in order to achieve full compliance within six (6) months from the date of receipt of the Notice and submit proof of compliance to the Board.
- \$1000.00 Civil Penalty

SBFCS 15-11, Harry Augustus Cage, FD20800069

- The records indicate a lack of four (4) hours in Indiana specific laws obtained during the reporting period required for the renewal of your license.
- Complete four (4) hours, of which no more than three (3) hours can be obtained by distance learning methods, of continuing education in Indiana specific laws as stated in 832 IAC 4-1-1 in order to achieve full compliance within six (6) months from the date of receipt of the Notice and submit proof of compliance to the Board.
- \$1000.00 Civil Penalty

SBFCS 15-12, Joe D. Deckard, Jr., FD09100033

- The records indicate failure to provide proof of completion of any hours obtained during the reporting period required for the renewal of your license.
- Complete ten (10) hours of continuing education, with no more than five (5) hours in distance learning, and a minimum of four (4) hours in Indiana specific laws as stated in 832 IAC 4-1-1 in order to achieve full compliance within six (6) months from the date of receipt of the Notice and submit proof of compliance to the Board.
- \$5000.00 Civil Penalty

SBFCS 15-13, Carol A. Dillion, FD20900079

- The records indicate failure to provide proof of completion of any hours obtained during the reporting period required for the renewal of your license.
- Complete ten (10) hours of continuing education, with no more than five (5) hours in distance learning, and a minimum of four (4) hours in Indiana specific laws as stated in 832 IAC 4-1-1

- in order to achieve full compliance within six (6) months from the date of receipt of the Notice and submit proof of compliance to the Board,
- \$5000.00 Civil Penalty

SBFCS 15-14, Donald J. Egeler, FD20700065

- The records indicate a lack of three (3) hours in Indiana specific laws obtained during the reporting period required for the renewal of your license.
- Complete three (3) hours of continuing education in Indiana specific laws as stated in 832 IAC 4-1-1 in order to achieve full compliance within six (6) months from the date of receipt of the Notice and submit proof of compliance to the Board.
- \$1000.00 Civil Penalty

SBFCS 15-15, David W. Ferguson, FD01012242

- The records indicate a lack of one (1) hour of continuing education for the reporting period required for the renewal of your license.
- Complete one (1) hour of continuing education in order to achieve full compliance within six (6) months from the date of receipt of the Notice and submit proof of compliance to the Board.
- \$1000.00 Civil Penalty

SBFCS 15-16, Brian E. Fitzpatrick, FD20300028

- The records indicate a lack of four (4) hours in Indiana specific laws obtained during the reporting period required for the renewal of your license.
- Complete four (4) live hours of continuing education in Indiana specific laws as stated in 832 IAC 4-1-1 in order to achieve full compliance within six (6) months from the date of receipt of the Notice and submit proof of compliance to the Board.
- \$1000.00 Civil Penalty

SBFCS 15-17, Michael J. Ford, FD01000661

- The records indicate a lack of two (2) hours in Indiana specific laws obtained during the reporting period required for the renewal of your license.
- Complete two (2) hours of continuing education in Indiana specific laws as stated in 832 IAC 4-1-1 in order to achieve full compliance within six (6) months from the date of receipt of the Notice and submit proof of compliance to the Board.
- \$1000.00 Civil Penalty

SBFCS 15-18, Kevin Alan Fouche, FD29400029

- The records indicate failure to provide proof of completion of any hours obtained during the reporting period required for the renewal of your license.
- Complete ten (10) hours of continuing education, with no more than five (5) hours in distance learning, and a minimum of four (4) hours in Indiana specific laws as stated in 832 IAC 4-1-1 in order to achieve full compliance within six (6) months from the date of receipt of the Notice and submit proof of compliance to the Board.
- \$5000.00 Civil Penalty

SBFCS 15-19, Nicholas Thomas French, FD20500015

- The records indicate a lack of one (1) hour in Indiana specific laws obtained during the reporting period required for the renewal of your license.
- Complete one (1) hour of continuing education in Indiana specific laws as stated in 832 IAC 4-1-1 in order to achieve full compliance within six (6) months from the date of receipt of the Notice and submit proof of compliance to the Board.
- \$1000.00 Civil Penalty

SBFCS 15-20, Walter Jacob Gerber, Jr., FD29600042

- The records indicate a lack of two (2) hours in Indiana specific laws obtained during the reporting period required for the renewal of your license.
- Complete two (2) hours of continuing education in Indiana specific laws as stated in 832 IAC 4-1-1 in order to achieve full compliance within six (6) months from the date of receipt of the Notice and submit proof of compliance to the Board.
- \$1000.00 Civil Penalty

SBFCS 15-21, Brooke Sizemore Johnson, FD29600038

- The records indicate a lack of one (1) hour of continuing education for the reporting period required for the renewal of your license.
- Complete one (1) hour of continuing education in order to achieve full compliance within six (6) months from the date of receipt of the Notice and submit proof of compliance to the Board.
- \$1000.00 Civil Penalty

SBFCS 15-22, Paul F. Kraft, Jr., FD01001641

- The records indicate failure to provide proof of completion of any hours obtained during the reporting period required for the renewal of your license.
- Complete ten (10) hours of continuing education, with no more than five (5) hours in distance learning, and a minimum of four (4) hours in Indiana specific laws as stated in 832 IAC 4-1-1 in order to achieve full compliance within six (6) months from the date of receipt of the Notice and submit proof of compliance to the Board.
- \$5000.00 Civil Penalty

SBFCS 15-23, Marjorie Kunch, FD20500007

- The records indicate a lack of five (5) live hours and you lack four (4) hours in Indiana specific laws obtained during the reporting period required for the renewal of your license.
- Complete five (5) live hours of continuing education, of which four (4) hours must be in Indiana specific laws as stated in 832 IAC 4-1-1 in order to achieve full compliance within six (6) months from the date of receipt of this Notice and submit proof of compliance to the Board.
- \$1000.00 Civil Penalty

SBFCS 15-24, Ashley Ann Lapham, FD21000019

- The records indicate you lack two (2) hours in Indiana specific laws obtained during the reporting period required for the renewal of your license.
- Complete two (2) hours of continuing education in Indiana specific laws as stated in 832 IAC 4-1-1 in order to achieve full compliance within six (6) months from the date of receipt of the Notice and submit proof of compliance to the Board.
- \$1000.00 Civil Penalty

SBFCS 15-25, Richard K. Merryweather, FD09100020

- The records indicate a lack of four (4) hours in Indiana specific laws obtained during the reporting period required for the renewal of your license.
- Complete four (4) hours of continuing education in Indiana specific laws as stated in 832 IAC 4-1-1 in order to achieve full compliance within six (6) months from the date of receipt of the Notice and submit proof of compliance to the Board.
- \$1000.00 Civil Penalty

SBFCS 15-26, Dustin H. Miller, FD29500096

- The records indicate a lack of five (5) live hours and you lack four (4) hours in Indiana specific laws obtained during the reporting period required for the renewal of your license.
- Complete five (5) live hours of continuing education, of which four (4) hours must be in Indiana specific laws as stated in 832 IAC 4-1-1 in order to achieve full compliance within six (6) months from the date of receipt of the Notice and submit proof of compliance to the Board.
- \$1000.00 Civil Penalty

SBFCS 15-27, Nancy Kraft Molnar, FD20200053

- The records indicate a lack of four (4) hours in Indiana specific laws obtained during the reporting period required for the renewal of your license.
- Complete four (4) hours of continuing education in Indiana specific laws as stated in 832 IAC 4-1-1 in order to achieve full compliance within six (6) months from the date of receipt of the Notice and submit proof of compliance to the Board.
- \$1000.00 Civil Penalty

SBFCS 15-28, Kevin Porter, FD08700167

- The records indicate failure to provide proof of completion of any hours obtained during the reporting period required for the renewal of your license.
- Complete ten (10) hours of continuing education, with no more than five (5) hours in distance learning, and a minimum of four (4) hours in Indiana specific laws as stated in 832 IAC 4-1-1 in order to achieve full compliance within six (6) months from the date of receipt of the Notice and submit proof of compliance to the Board.
- \$5000.00 Civil Penalty

SBFCS 15-29, Scott Pridemore, FD21000059

- The records indicate a lack of one (1) hour in Indiana specific laws obtained during the reporting period required for the renewal of your license.
- Complete one (1) hour of continuing education in Indiana specific laws as stated in 832 IAC 4-1-1 in order to achieve full compliance within six (6) months from the date of receipt of the Notice and submit proof of compliance to the Board.
- \$1000.00 Civil Penalty

SBFCS 15-30, Ryan Ramsey, FD21000039

- The records indicate you lack four (4) hours in Indiana specific laws obtained during the reporting period required for the renewal of your license.
- Complete four (4) hours of continuing education, of which two (2) hours must be live hours, in Indiana specific laws as stated in 832 IAC 4-1-1 in order to achieve full compliance within six (6) months from the date of receipt of this Notice and submit proof of compliance to the Board.
- \$1000.00 Civil Penalty

SBFCS 15-31, Arthur L. Sater, FD01008651

- The records indicate a lack of one (1) hour in Indiana specific laws obtained during the reporting period required for the renewal of your license.
- Complete one (1) hour of continuing education in Indiana specific laws as stated in 832 IAC 4-1-1 in order to achieve full compliance within six (6) months from the date of receipt of the Notice and submit proof of compliance to the Board.
- \$1000.00 Civil Penalty

SBFCS 15-32, William M. Scott, FD01009916

- The records indicate a lack of three (3) hours of continuing education for the reporting period required for the renewal of your license.
- Complete three (3) hours of continuing education in order to achieve full compliance within six (6) months from the date of receipt of the Notice and submit proof of compliance to the Board.
- \$1000.00 Civil Penalty

SBFCS 15-33, William Walter Scott, FD20300012

- The records indicate a lack of four (4) hours in Indiana specific laws obtained during the reporting period required for the renewal of your license.
- Complete four (4) hours of continuing education in Indiana specific laws as stated in 832 IAC 4-1-1 in order to achieve full compliance within six (6) months from the date of receipt of the Notice and submit proof of compliance to the Board.
- \$1000.00 Civil Penalty

SBFCS 15-34, Megan Shaughnessy, FD21200033

- The records indicate failure to provide proof of completion of any hours obtained during the reporting period required for the renewal of your license.
- Complete ten (10) hours of continuing education, with no more than five (5) hours in distance learning, and a minimum of four (4) hours in Indiana specific laws as stated in 832 IAC 4-1-1 in order to achieve full compliance within six (6) months from the date of receipt of the Notice and submit proof of compliance to the Board.
- \$5000.00 Civil Penalty

SBFCS 15-35, Spencer Allen Skorupski, FD21100045

- The records indicate failure to provide proof of completion of any hours obtained during the reporting period required for the renewal of your license.
- Complete ten (10) hours of continuing education, with no more than five (5) hours in distance learning, and a minimum of four (4) hours in Indiana specific laws as stated in 832 IAC 4-1-1 in order to achieve full compliance within six (6) months from the date of receipt of the Notice and submit proof of compliance to the Board.
- \$5000.00 Civil Penalty

SBFCS 15-36, Tracy Cheri Williams, FD08600238

- The records indicate a lack of one (1) hour in Indiana specific laws obtained during the reporting period required for the renewal of your license.
- . Complete one (1) hour of continuing education in Indiana specific laws as stated in 832 IAC 4-1-1 in order to achieve full compliance within six (6) months from the date of receipt of this Notice and submit proof of compliance to the Board.
- \$1000.00 Civil Penalty

SBFCS 15-37, Scott H.A. Willison, FD21100011

- The records indicate you lack four (4) hours in Indiana specific laws obtained during the reporting period required for the renewal of your license.
- Complete four (4) hours of continuing education in Indiana specific laws as stated in 832 IAC 4-1-1 in order to achieve full compliance within six (6) months from the date of receipt of the Notice and submit proof of compliance to the Board.
- \$1000.00 Civil Penalty

Resolution to Grant the IPLA Executive Director or his Designee the Authority to Sign the Chairman's Name to Execute Orders Subpoenas, Continuances, and Other Legal Documents Necessary to Conduct the Business of the Board.

A motion was made and seconded to authorize the IPLA Executive Director or his designee the authority to sign the Chairman's name to execute orders subpoenas, continuances, and other legal documents necessary to conduct the business of the board

Frain/Sproles
7/0/0
Motion carried.

DISCUSSION OF PUBLISHING A NEWSLETTER

It was the consensus of the board to compile articles for discussion at the next meeting. The Consumer Protection Division of the Office of the Attorney General volunteered to contribute also.

VERIFIED COMPLAINTS REQUESTING RESTITUTION FROM THE PRENEED CONSUMER PROTECTION FUND

A. Edith Gordon for Gerald Gordon

Re: Grandview Memorial Gardens, CM40100006

A motion was made and seconded to table the matter for further investigation by the Office of the Attorney General/Advisory.

Frain/Loose
7/0/0
Motion carried.

B. Burns Funeral Home for Evelyn Kindel

Re: Kraft Funeral Home, FH10000005 (Revoked)

A motion was made and seconded to table the matter pending the at-need contract.

Frain/Loose
7/0/0
Motion carried.

C. Elmwood Chapel and Crematory for Rodney Herzog

Re: Kraft Funeral Home, FH10000005 (Revoked)

A motion was made and seconded to approve the request not to exceed the at-need contract.

Frain/Cutter
7/0/0
Motion carried.

D. Ron McQueen for Alice McQueen

Re: Northeast Indiana Cremation Society, CR30000006 (Closed)

A motion was made and seconded to approve the request not to exceed the at-need contract.

Frain/Smith
7/0/0
Motion carried.

REVIEW OF CONTINUING EDUCATION SPONSORS AND COURSES

A motion was made and seconded to deny the Wilbert Funeral Services, Inc. courses because they do not qualify as Indiana Law courses and approve the following courses.

Frain/Sproles
5/0/2
Motion carried.

NEW COURSES FROM PREVIOUSLY APPROVED SPONSORS

Alexander Funeral Home, CE10800617

- Cremator Operator Certification Program, June 16, 2015, 6 CEUs

Flanner and Buchanan Funeral Center CE10800861

- Children and Grief, September 15, 2015, 1 CEU
- Comforting Presence, September 15, 2015, 1 CEU

FuneralCE, CE10800715

- When Disaster Strikes: Fatalities and Community Impact, Ongoing, 2 CEUs

International Cemetery, Cremation & Funeral Association, CE10800864

- ICCFA Fall Management Conference September 30, 2015 – October 2, 2015,
 - The Blue Ocean Strategy in Action, October 1, 2015, 8 CEUs
 - Creating a Culture of Candor and Change, October 2, 2015, 1 CEU
 - Wholehearted Leadership for Employee Engagement, October 2, 2015, 1 CEU

International Order of the Golden Rule, CE10800865

- 2015 Fall Forum: Dominate Technology, October 17, 2015, 6 CEUs
 - Technology Marketing Trends, 1 CEU
 - Unhackable: Protect Your Financial Data & Avoid Being Sued, 1 CEU
 - Technology Tutorials to Make You Savvy, 1 CEU
 - The Hazards of the Internet: How Yelp, Your Website, & Obituaries Can Make or Break You, 2 CEUs
 - Great Ideas for a Great Cause, 1 CEU
- Unhackable: Protect Your Financial Data & Avoid Being Sued, 11/3/2015, 1 CEU
- Technology Marketing Trends: How to Dominate Tomorrow's Economy, 11/4/2015, 1 CEU

- The Hazards of the Internet: How Yelp, Your Website, & Obituaries Can Make or Break You, 11/5/2015, 1 CEU

Mid-America College of Funeral Service, CE10800903

- Embalming and Moisture Consid., TBD, 1 CEU
- British Burial Sites, TBD, 1 CEU
- British Funeral Customs, TBD, 1 CEU
- Cost Segregation for Funeral Homes, TBD, 1 CEU
- Overview Organ/Tissue Donation, TBD, 1 CEU
- Healing Aspects of Storytelling, TBD, 1 CEU

Minnick Services, CE10800889

- Graveside as an Event, Ongoing, 2 CEUs
- Casket Options & Merchandising, Ongoing, 1 CEU
- Building a Custom Image, Ongoing, 1 CEU
- Funeral Merchandising, Ongoing, 1 CEU
- Commemoration-Cremation Merch., Ongoing, 2 CEUs
- Cremation Process – Start to Finish, Ongoing, 1 CEU
- Pet Loss Care & the Funeral Home, Ongoing, 2 CEUs
- Burial Vault 101, Ongoing 2 CEUs

Selected Independent Funeral Homes, CE10800819

- 2015 Annual Meeting, September 16-19, 2015, 8 CEUs Total
 - Opening Session, September 17, 2015, 1 CEU
 - Seminars, September 17, 2015
 - Perspectives on Preneed, 1 CEU
 - Building a Healthy Personal Life When Surrounded by Death, 1 CEU
 - Seminars, September 18, 2015
 - High Cremation Rate and High Funeral Service Rate: It's Not a Paradox!, 1 CEU
 - Building a Healthy Personal Life When Surrounded by Death, 1 CEU(duplicate)
 - General Session, September 18, 2015, 2 CEUs
 - Membership Business Session, September 19, 2015, 1 CEU
 - General Session: Best Practices Competition, September 19, 2015, 1 CEU

Vermilion County Funeral Directors Association, CE10800843

- Feature Setting and the Perfect Smile, October 5, 2015, 1 CEU
- Dressing and Casketing, October 5, 2015, 1 CEU
- Decomposition Cases, October 8, 2015, 1 CEU
- Airbrush Techniques, October 8, 2015, 1 CEU
- Tissue Donation and Autopsy, October 8, 2015, 1 CEU
- Massive Trauma and Restoration, October 8, 2015, 1 CEU
- Severe Edema, October 8, 2015, 1 CEU
- Bariatric Cases, October 8, 2015, 1 CEU

Wabash Valley Funeral Directors Association, CE21400020

- Indiana Funeral Law, July 30, 2015, 2 CEUs
- Illinois Law, Julye 30, 2015, 1 CEU

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 1:00 p.m.